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National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21*

Guatemala

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I. Introduction

1. The State of Guatemala hereby submits its report for the third cycle of the universal periodic review (UPR), noting the voluntary submission of its midterm report in April 2014. The information covers the period 2012-2016.

2. When the Government for the period 2012-2016 took office, a democratic system had been in place in Guatemala for 16 years, during which time progress had been made in strengthening the State, although there were also significant gaps with regard to the population's full enjoyment of economic and social rights as called for under the peace accords and major human rights instruments to which Guatemala is a signatory.[1]

3. In 2016, a new Government took office and put forward a general government policy for the period 2016-2020, which is aligned with the K'atun "Our Guatemala 2032" National Development Plan. The plan establishes priorities and guidelines for the work of the public sector and provides the means for monitoring the goals proposed for the period 2016-2020.

4. Between 2012 and August 2017, in fulfilment of international commitments, Guatemala submitted 11 periodic reports and 4 sets of replies to lists of issues from United Nations treaty bodies. In keeping with its open-door policy, Guatemala accepted and facilitated the visits of two special procedures mandate-holders and two rapporteurs from the inter-American system. In March 2017, Guatemala hosted the fifty-seventh special session of the Inter-American Court of Human Rights, in July-August it received an onsite visit from the Inter-American Commission on Human Rights, and it is currently drafting responses to the list of issues in relation to its fifth and sixth reports on the Convention on the Rights of the Child and preparing for the review by the Committee on the Elimination of Discrimination against Women.

II. Methodology and national consultations

5. The present report was prepared by the Presidential Human Rights Commission in collaboration with the Office of the United Nations High Commissioner for Human Rights (OHCHR) in Guatemala and in consultation with State institutions and civil society organizations.

6. Through an inter-agency forum,[2] three working meetings were held in order to compile institutional information on follow-up to the reports submitted in 2008 (43 recommendations accepted), 2012 (111 recommendations, 27 noted and 5 voluntary commitments made) and the midterm report submitted in April 2014.

7. National consultations with civil society organizations began in November 2016 and were completed in May 2017; seven departments[3] were prioritized and the following needs and concerns were identified:

(a) **Security and justice:** The need to decentralize the International Commission against Impunity in Guatemala emphasized in all regions; opening of regional offices suggested to facilitate investigation at the municipal government level; need for more trained personnel in the security forces and protection of justice officials and human rights defenders.

(b) **Violence against women:** High rates of femicide and violence against women are concerns; establishment of specialized prosecutors' offices, courts and places to provide special assistance for victims of violence proposed; awareness-raising needed for staff to receive complaints from women in health facilities; lack of offices of the Presidential Secretariat for Women at the national level and lack of knowledge of the recommendations of the Committee on the Elimination of Discrimination against Women.

(c) **Children:** Lack of specialized personnel to ensure children's access to education and health services, social programmes not being carried out effectively, non-enrolment of children in remote communities, little attention to children and youth with disabilities.

(d) **Indigenous peoples:** Dissatisfaction at the lack of consultation with indigenous peoples; amendments to the Mining Act; absence of the Presidential Commission on Discrimination and Racism against Indigenous Peoples at the national level; lack of access to economic, social and cultural rights and civil and political rights for the indigenous population.

III. Protection of rights

A. Equality and non-discrimination

Racial discrimination (first cycle recommendations 89.7, 89.9, 89.10 and 99.11; second cycle recommendations 99.9 and 99.105)

8. The Public Policy for Coexistence and Elimination of Racism and Racial Discrimination was formally adopted in May 2014.[4] As part of the policy's implementation, meetings have been held with public sector planners and budget managers to identify concrete activities to be undertaken in accordance with their mandates. In 2016, a draft plan for implementation of the policy was circulated among technical staff of the various State institutions with a view to identifying specific areas to be included in the annual operational plans.

9. Indigenous peoples are represented on departmental urban and rural development councils through the system of urban and rural development councils. There are a total of 92 representatives from 24 linguistic communities (84 Maya, 2 Garifuna and 6 Xinca) at the departmental level; the National Urban and Urban Development Council has 6 indigenous members (4 Maya, 1 Xinca and 1 Garifuna).

10. With regard to the judiciary and the Supreme Court of Justice, 2 of the 13 high court judges for the period 2014-2019 are women and one is an indigenous person from the Maya K'iché' group, who presided over the Court during the period 2014-2015.

B. Protection for vulnerable population groups

Protection of vulnerable population groups (justice officials, human rights defenders, trade unionists and lesbian, gay, bisexual, transgender and intersex (LGBTI) persons)

11. The Office for the Analysis of Attacks against Human Rights Defenders has held meetings continually since its establishment in 2008. In 2016 it held 47 meetings. To strengthen this body, in 2015 a hotline was set up with telephone number 1543 to receive emergency calls and complaints.

Protection of justice officials (first cycle recommendations 89.31, 89.26 and 89.30)

12. The Ministry of the Interior[5] ensured protection for 100 judges in high-impact cases and 10 special prosecutors, for which purpose 288 National Civil Police officers were assigned.[6] The Public Prosecution Service reports that from 2012 to June 2017 there were 225 complaints of threats or attacks against prosecutors (120) and judges (125).

Protection of human rights defenders (first cycle recommendations 89.18, 89.19, 89.20, 89.21, 89.22, 89.30 and 89.36; second cycle recommendations 99.52, 99.53, 99.73, 100.14, 100.15 and 100.18)

13. The Special Criminal Investigation Division[7] of the National Civil Police was strengthened in 2014 through the addition of 14 investigators. Currently there are 20 investigators, who support the Office of the Special Prosecutor for Human Rights of the Public Prosecution Service and the Protection of Persons and Security Division[8] of the National Civil Police, which provides round-the-clock preventive personal protection for human rights defenders and their families when they have been attacked or threatened.

14. The Public Prosecution Service reports that from 2012 to June 2017 a total of 557 complaints of various crimes against human rights defenders were reported.

15. In October 2016, a protocol was adopted for the implementation of immediate preventive security measures for the protection of unionized workers, leaders, managers, militants, trade union leaders and persons involved in the defence of labour rights and the physical spaces in which they conduct their activities. The Public Prosecution Service reports that between 2010 and 2015 a total 67 complaints involving trade union members were lodged.

Protection of the LGBTI population (first cycle recommendations 89.16 and 89.35; second cycle recommendations 99.27, 99.23 and 99.24)

16. The Public Prosecution Service opened three complaints windows in its 24-hour public services office.[9] Applying a victim-centred approach, the office carries out an assessment of primary needs, which may include crisis care, medical or psychological evaluation and/or legal assistance. The facts are recorded and appropriate protective measures are put in place. All complaints windows display the slogan "Yo no discrimino" (I do not discriminate), which is intended to heighten awareness among prosecutors who are involved in assisting victims.

17. A protocol for the provision of comprehensive assistance to crime victims was adopted in 2014.[10] The protocol is grounded in respect for the human rights of crime victims, with emphasis on populations living in situations of vulnerability.

18. The Information System of the Public Prosecution Service includes an LGBTI category in the personal data it records. It also includes the name used by the individual concerned in his or her social relationships. A total of 11 complaints were registered between 2010 and 2015, of which 4 were rejected. From 2016 to June 2017, a total of 355 complaints were filed, of which 46 were rejected or dismissed.

19. In 2014 the Office of the Human Rights Advocate established a Sexual Diversity Unit, which, among other functions, is charged with referring and advising and following up on complaints of human rights violations against sexually diverse communities.

20. In November 2016, the Ministry of Public Health and Social Welfare launched the Comprehensive Differentiated Health Strategy for Transgender Persons in Guatemala 2016-2030, the aim of which is to provide comprehensive differentiated services for transgender persons. The strategy focuses on (a) health promotion and disease prevention, (b) comprehensive health care, (c) institutional strengthening, and (d) monitoring and evaluation.

C. Trafficking in persons (second cycle recommendations 99.54 and 99.47)

21. In 2015 the Inter-Agency Commission against Trafficking in Persons approved a protocol for inter-agency coordination on protection and assistance for victims of human trafficking, which sets out basic guidelines for government agencies and non-governmental organizations concerned with the issue. The protocol provides for various stages and levels of protection and assistance to victims and establishes differentiated procedures for children, adolescents and adults.

22. A protocol for assisting victims of trafficking, adopted by the Public Prosecution Service in 2015, establishes procedures to be followed in providing assistance, protection, referral and full restoration of the rights of persons who have been victims of trafficking. The Public Prosecution Service also issued a general directive regulating the activities of the assistance, coordination and intervention mechanisms of the Service responsible for victim assistance and criminal prosecution of trafficking cases.[11] The directive outlines strategic mechanisms for criminal prosecution and establishes parameters for coordination of victim assistance and investigation and referral of cases.

23. In 2015 a new hospital care protocol for victims of sexual violence was adopted. *offices of the Public Prosecution Service were opened at the Roosevelt* and San Juan de Dios hospitals and training was provided to 267 people at those hospitals.

24. The Child Protection System was created in May 2016 and a child pornography unit was established under the Office of the Prosecutor for Human Trafficking Offences. The unit is responsible for investigating human trafficking offences involving child pornography and offences relating to the possession, production, dissemination or sale of such pornography.

25. The National Civil Police established the Sexual Crimes Unit and the Anti-Trafficking Unit within its Special Criminal Investigation Division, which is staffed by 56 officers specializing in the investigation of sexual offences.

26. The Secretariat against Sexual Violence, Exploitation and Trafficking in Persons has set up 23 departmental networks to combat sexual violence, exploitation and human trafficking. Under a national training programme for medical, auxiliary and administrative personnel in the public hospital network, 2,961 persons received training on matters relating to sexual violence in the course of 27 visits to hospitals in the network.

Statistics on trafficking in persons

27. From 2012 to June 2017, the Public Prosecution Service received a total of 1,771 complaints involving 3,338 persons for offences relating to trafficking in persons and payment for trafficking in persons and recorded a total of 82 convictions.[12]

28. During the period 2010-2015, the courts handed down a total of 134 verdicts (57 acquittals and 77 convictions).[13]

Sexual exploitation of girls

29. In 2016 the judiciary organized five round tables involving five specialized bodies with a view to strengthening judicial decisions in cases of sexual violence and trafficking in persons.

30. In 2016, the Attorney General's Office, the Public Prosecution Service, the Secretariat against Sexual Violence, Exploitation and Trafficking in Persons and the Ministries of Public Health and Social Welfare, Education, and Social Development signed an inter-agency agreement designed to improve care for pregnant girls and teenagers under the age of 14. The agreement establishes commitments for coordination and sharing of responsibilities among the various agencies and for implementing the road map and optimizing the procedures of each institution with regard to the identification and care of pregnant girls and adolescents under the age of 14. That same year, an agreement was signed between the Ministry of Public Health and Social Welfare, the Public Prosecution Service and the Secretariat against Sexual Violence, Exploitation and Trafficking in Persons to support the provision of medicines and biologicals needed for the care of victims of sexual violence under the comprehensive assistance models of the Public Prosecution Service.

31. As of 2014 the Secretariat against Sexual Violence, Exploitation and Trafficking in Persons was operating three specialized temporary shelters for child and adolescent victims of crimes of sexual violence, exploitation or human trafficking. The shelters are located in Guatemala City, Coatepeque (Department of Quetzaltenango) and Cobán (Department of Alta Verapaz). Between 2014 and June 2017, medical care, psychological care, social assistance, recreational and educational services and legal assistance were provided to a total of 852 victims of trafficking or sexual violence.

D. Persons deprived of their liberty

Prison system, persons deprived of their liberty (second cycle recommendations 99.50, 99.51 and 99.49)

32. The national prison reform policy adopted in 2015 covers a 10-year period.[14] The Policy includes 10 main lines of action, as follows: inter-agency coordination; implementation of a professional training programme for prison officials; specialized continuing education; strict application of a progressive regimen; construction, renovation

and modernization of infrastructure; internal and external security; promotion of resocialization; community and business involvement; socioeconomic reintegration of persons; special attention to women, men, children and adolescents in the prison environment.

33. Discussions are currently underway on reform of the prison system and the Technical Secretariat of the National Security Council with a view to prioritizing strategic areas and short- and medium-term actions in three dimensions: (a) prevention, rehabilitation and re-education; (b) administrative and financial efficiency; and (c) internal controls, security and prison intelligence.

34. The Telematic Surveillance Act was adopted in September 2016.[15] This law provides for the implementation of electronic and technical systems to be used by the Directorate-General of the Prison System to improve surveillance of persons who have been convicted but have been given alternative sentences and ordered to wear a GPS monitoring device. The implementing regulations for the Act are currently being drawn up.

35. With regard to prison conditions, the following actions are being taken:

- To deal with **overcrowding**, a list is being drawn up of persons deprived of their liberty who have served enough time to qualify for a reduction of their sentence; this would help alleviate overcrowding in detention centres.
- To improve prison **infrastructure**, **access to health care and hygiene conditions**, work is underway on the construction of two new modules, with resources provided by the Directorate-General of the Prison System and with assistance from the European Union Support Programme for Security and Justice in Guatemala (SEJUST).[16]
- With regard to **self-government**, the Unit for the Analysis of Prison Information and the Offices of the Deputy Director for Operations and the Inspector General of the Prison System are coordinating efforts to implement early warning mechanisms to avoid crises or emergencies in prisons. Regular inspections are conducted in detention centres in order to effectively prevent prohibited objects or substances from being brought in.
- **To prevent violence among inmates**, persons deprived of their liberty are separated according to their legal status, criminal profile, age, sex, gender, behaviour, social identity and health status, among other criteria.

36. With regard to indigenous women deprived of their liberty, the Public Defenders Institute developed a protocol for the provision of assistance to women victims of various forms of violence; signed an inter-agency agreement with the Office of Women's Affairs in the municipality of Mixco, the Presidential Secretariat for Women, the Ministry of the Interior and the National Civil Police; developed a protocol for social work with a gender perspective; and established a women's unit focused on assisting indigenous women accused of criminal acts and ensuring them prompt and full access to justice.

E. Torture and enforced disappearance (second cycle recommendation 100.17)

37. Since 2014, the National Office for the Prevention of Torture, which is the national preventive mechanism, has appointed five rapporteurs and five alternates, who conduct visits to the various centres in which individuals deprived of their liberty are held and to public and private facilities providing social care and protection services. In 2016, the rapporteurs carried out 151 visits and issued 917 recommendations.

38. Between 2012 and June 2017 the Public Prosecution Service recorded a total of 87 complaints of torture, 11 of which were rejected. A total of 327 complaints of torture or ill-treatment by National Civil Police officers were reported, 98 of which were rejected or dismissed.[17]

F. Combating impunity (first cycle recommendations 89.23 and 89.34; second cycle recommendation 99.63)

39. The Anti-Corruption Division of the Public Prosecution Service currently has 10 prosecutors' offices, which research and analyse cases in which public officials or civil servants are accused of committing various offences. A case tracking methodology has been implemented with the aim of forming multidisciplinary teams to address complaints received.

40. In the past three years, the number of complaints lodged has increased, and the Anti-Corruption Division has therefore been strengthened. Two specialized prosecutors' offices were opened to investigate acts of corruption in the countries' municipalities.

41. In the first half of 2017, the findings of more than 35 investigations were brought before the courts, which has led to important results in the fight against corruption. A total of 247 judicial sanctions were imposed during the period from 2012 to June 2017.

42. With regard to support for the International Commission against Impunity in Guatemala, an office of the Special Prosecutor against Impunity was opened in Quetzaltenango.[18] The office has jurisdiction to prosecute offences in the departments of Quetzaltenango, Totonicapán, San Marcos and Huehuetenango.[19]

IV. Economic, social, cultural and environmental rights

A. Right to food (second cycle recommendations 99.82, 99.87, 99.89 and 99.93)

43. The Zero Hunger Pact initiative was implemented gradually, in three phases. The first, from January to June 2012, targeted the 33 municipalities with the highest prevalence of chronic malnutrition in the country.[20] The second phase, from July to December 2012, included 50 municipalities with high prevalence of malnutrition. In the final phase, which began in 2013, municipalities were added until the number reached 166 (about half of the country's municipalities).

44. With regard to the trend of chronic malnutrition over time, according to survey data compiled to assess the impact of the Zero Hunger Pact initiative, chronic malnutrition among children under 5 years of age in the 166 municipalities targeted between 2012 and 2014 rose from 59.9 per cent to 60.6 per cent, a negligible change of 0.7 percentage points. A breakdown of malnutrition rates by rural and urban areas for the same period shows that rates in rural areas increased by 1.18 percentage points, whereas in urban areas they fell by 4.0 points. In urban areas, the rate of chronic malnutrition decreased by 6.0 percentage points between 2012 and 2013 and then rose again by 1 percentage point in 2014. In rural areas, the rate of malnutrition showed small but positive changes over the three periods studied. It should be noted that the chronic malnutrition rate averaged 35 per cent higher in rural areas than in urban areas for all three periods.

45. The National Strategy to Prevent Chronic Malnutrition 2016-2020 was adopted with a view to achieving the target of 10 per cent reduction of chronic malnutrition. The Strategy is intended to build on the results of the Zero Hunger Pact.

46. The Presidential Commission for the Reduction of Chronic Malnutrition was established to advise the President on follow-up to strategies to reduce malnutrition in the country and to promote and coordinate activities with civil society and municipal government entities to reduce malnutrition.

47. The Family Farming Programme, established by the Ministry of Agriculture, Livestock and Food, is the centrepiece of the country's agricultural policy 2016-2020 and is intended to strengthen the rural economy and contribute to the reduction of chronic malnutrition among children under 2 years of age. The strategy for the prevention of chronic malnutrition promotes family farming by poor and extremely poor households with a view to improving the availability of, access to and consumption of food, through inter-

agency and intersectoral coordination and social and civic participation, with support from international cooperation agencies.

48. The Food Programme carries out activities to benefit the rural population, promote development in rural communities and build productive community assets in order to reduce vulnerability to food insecurity. Under the programme, farmers receive food as payment for the time they invest in the community. Between 2012 and June 2017, a total of 343,088 food rations were distributed.

49. The Food Aid Programme was established to prevent food insecurity and ensure sufficient and continuous availability and supply of foods. Between 2012 and June 2017, the Programme distributed a total of 618,117 food rations in areas affected by natural disasters.

50. The Family Garden Programme supports food production, strengthening technical and social organization capacities and promoting local food production in communities and families identified as being at high risk of food insecurity. Between 2012 and June 2017 the Programme assisted a total of 136,294 families.

51. Since 2016, the National School Nutrition Programme has been strengthened and aligned with national and international policies. The programme guarantees the right of schoolchildren to food and nutrition by providing a variety of safe, healthy and culturally appropriate foods in order to improve learning conditions.[21]

52. Government schools provided school meals to children at the preschool and primary levels throughout the 180-day school year, at an estimated annual cost per child of 200 quetzales in urban areas and 285 quetzales in rural areas. In municipalities identified as having the highest rates of malnutrition, the annual cost is 290 quetzales in rural areas and 375 quetzales in urban areas. Analysis of budget figures between 2013 and 2016 shows an increase of 46,025,568 quetzales. In 2016 the total expenditure was 614,369,482.49 quetzales and a total of 2,388,884 schoolchildren benefited.

B. Social programmes (second cycle recommendations 99.13, 99.81, 99.94, 99.86, 99.90, 99.91 and 99.104)

53. The Economic Support Programme for Older Persons provides monthly allowances of 400 quetzales to persons of limited means who are over 65 years of age. From October to December 2012 a total of 268,785 allowances were paid out, while in 2016 a total of 1,235,081 were paid out, benefiting 103,167 older persons.

54. The "My Golden Years" programme provides comprehensive support for persons over the age of 60, with emphasis on those living in conditions of poverty or extreme poverty. The aim of the programme is to improve beneficiaries' quality of life, promoting activities to narrow the generation gap and encourage their active participation in social activities, with strict respect for their human rights. The number of programme beneficiaries rose from 2,778 in 2012 to 4,076 in 2016.

C. Housing

55. In 2013 the Housing Fund[22] increased the direct subsidy received by beneficiary families to 35,000 quetzales. This increase of 15,000 quetzales is the result of a new housing design.

56. From 2012 to the end of the first half of 2014, 40,924 subsidies were approved and 29,822 houses were built or authorized.[23] In addition, a national housing plan, coordinated with the Government Plan 2012-2016, was adopted.

D. Employment

57. A national employment policy entitled "Creating Safe, Decent, Quality Employment 2012-2021" was adopted in 2012. Activities such as the Job Fair carried out under the

policy from 2012 to 2015 led to the creation of 114,390 new jobs in the formal sector of the economy. The employment exchange reported that 159,643 persons registered between 2012 and May 2016, of whom 49,112 were placed in a variety of different jobs and 2,731 received training.

58. The General Labour Inspectorate was restructured in 2013 and departmental directorates were set up and departmental delegates appointed. In 2012 regulations for the organization of the Ministry of Labour and Social Security were issued, and in 2013 three directives were issued for the establishment of a rapid response group to take action in the event of the closure of a business.[24] Directives were also issued on regular inspections of companies receiving benefits under the Act on Promotion and Development of Export and Maquila Activities;[25] cases in which there is a complaint or report of the closure or dissolution, or the imminent closure or dissolution, of a business or workplace without payment of the required employment benefits;[26] and harmonization of criteria for the application of article 23 of the current Labour Code.[27] In 2014, the following directives were issued: a directive establishing standardized time frames for the work of the General Labour Inspectorate;[28] a directive for dealing with cases and internal procedures for the conciliation and inspection sections of the departmental delegations of the General Labour Inspectorate of Guatemala.[29]

59. The General Labour Inspectorate hired 100 inspectors from 2012 to 2013, increased the number of visits to companies from 10,044 in 2012 to 30,552 in 2014, and dealt with 15,152 conciliation cases in 2012 and 19,576 in 2014. As a result of these actions, from 2012 to 2015 a total of 93,440 complainants benefited, and through operational plans a total of 1,500,968 benefited. Remedies were awarded as a result of legal proceedings in 1,715 cases in 2012 and 4,081 cases in 2014. In 2012, 337 regulations were adopted and in 2014, 745 were adopted.

60. With regard to verification of compliance with labour laws on occupational health and safety, from 2012 to 2015 a total of 7,903 visits were conducted to different companies, 2,169 committees were formed and 27,307 persons were trained, benefiting 279,223 persons overall.

E. Education (first cycle recommendations 89.41 and 89.42; second cycle recommendations 99.99, 99.58, 99.98 and 99.77)

61. The National Literacy Committee reported a 4.31 per cent decline in the illiteracy rate, which fell from 16.62 per cent in 2012 to 12.31 per cent in 2016, as a result of its efforts to increase literacy among the population over 15 years of age.[30]

62. With a view to producing a multiplier effect, the literacy campaign has been linked with food security activities, with a special focus on women. Between 2012 and 2015, the number of women registered was consistently higher than the number of men. For example, in 2015, there were 108,476 women and 36,634 men.

63. As of 2014, 24 municipalities had been declared illiteracy-free.[31] In order to strengthen the bilingual literacy programme, 50 literacy group supervisors were recruited in priority municipalities. Literacy materials are available in 17 Maya and Garifuna languages.

64. In order to promote access to and continuation of schooling, the Ministry of Education has implemented measures such as school transport subsidies, scholarships and guaranteed free education. The dropout rate in government schools for 2015 was estimated at 3.38 per cent nationwide at the primary level, 6.58 per cent at the intermediate level and 5.62 per cent at the upper secondary level.[32]

Students with disabilities

65. The Ministry of Education has a scholarships programme for students with disabilities attending government schools at the preschool, primary and secondary levels. The programme provides 1,000 quetzales annually, which is disbursed to the child's parents, guardians or other representatives who meet the requirements of the relevant regulations.[33] Between 2012 and 2016 a total of 4,270 scholarships were awarded.

66. The Department of Extramural Education offers inclusive extramural educational services to enable students to complete their schooling and receive vocational training in technical areas; 232 people benefited in 2017. Records of services provided to students with disabilities indicate that the number served fell by 5,426 between the period 2012 and 2016, ending the period with a total of 13,579. With regard to teachers for persons with disabilities, the number of teachers trained and hired rose by 17 during the same period, reaching a total of 280 in 2017.

67. Investment in services for persons with disabilities has increased year by year. In 2016, the amount invested represented 0.28 per cent of the overall budget of the Ministry of Education, having risen from 27,319,382 quetzales in 2012 to 39,456,190 in 2016.

Bilingual and intercultural education

68. The General Directorate for Bilingual and Intercultural Education within the Ministry of Education has a professional development programme for teachers, which is offered in coordination with the University of San Carlos of Guatemala. It is a continuing education programme for teachers employed by the Ministry of Education, which seeks to improve the quality of educational services, bearing in mind the country's multilingual, multi-ethnic and multicultural context. In 2013, 5,072 bilingual teachers were trained at the national level.

69. Currently, 13,095 teachers are receiving a bilingualism bonus for their role in making the development of intercultural bilingual education a reality.[34] In 2016, 1,572 teachers received scholarships to enable them to enrol in the intercultural bilingual education training programme.

70. The Strategy for Achieving Quality Education for Guatemalan Children and Youth, launched in 2012, made ensuring the availability of preschool education throughout Guatemala a national priority. In 2013 textbooks were distributed free of charge to students at the preschool, primary, bilingual preschool and lower secondary levels in government schools, in line with the specifications of the basic national curriculum and the cultural characteristics of each region.

71. As part of the curriculum reform process, a curriculum was developed through regional curriculum planning for the Maya community at the preschool, primary and lower secondary levels. Regional curriculum planning for the Garifuna and Xinca peoples has been completed for the preschool and primary levels.

72. In 2014, 151,218 preschool textbooks and 178,220 for primary school textbooks were printed in the Maya, Garifuna and Xinca languages, for a total of 329,438 textbooks.

73. In 2013, a total of 6,000 primary schools nationwide had been classified as bilingual schools, enabling teachers to employ curricular and teaching strategies in the classroom to develop competencies rooted in the knowledge and languages of the various sociolinguistic peoples and communities.

F. Health

74. There has been an increase in health-care visits, follow-up visits, new patients and emergency cases treated in the country's hospitals, with the number rising from 20,539,031 in 2012 to 28,861,361 in 2015.

75. In 2013, the Ministry of Health approved the National Plan for the Reduction of Maternal and Neonatal Mortality 2015-2020,[35] which builds on and updates the work done under the Action Plan for the Reduction of Maternal and Neonatal Mortality and the Improvement of Reproductive Health 2010-2015. The plan is being updated on the basis of statistical records of obstetric events and progress in the implementation of evidence-based procedures.

76. An inclusive health-care model introduced in 2016 sets out general guidelines for planning, organizing and developing the network of health services and strengthening

human resources. From 2015 to 2016, 259 nursing supervisors, 2,102 nursing assistants and 6,223 community facilitators were recruited to work in the health-care networks.

77. Following a severe shortage of medicines in national hospitals, in December 2016 the availability of medicines and surgical supplies rose to over 85 per cent in 25 hospitals, around 70 per cent in 15 and between 50 and 60 per cent in 4.

V. Specific groups

A. Women (second cycle recommendations 99.15, 99.20, 99.104, 99.10, 99.21, 99.22 and 99.25)

78. The Social Welfare Secretariat of the Office of the First Lady is promoting the "Secure Growth" programme, which targets women between the ages of 14 and 59 with limited resources. The programme is nationwide in scope, but focuses mainly on women living in rural areas. The aim is to help improve their productive capacities through the formation of small and microenterprises, called "productive units", by pooling public and private efforts to promote the socioeconomic development of vulnerable families and communities.

79. The establishment of gender units in all State agencies is mandatory.[36] There are currently 35 such units in the executive branch and 340 municipal women's offices. In addition, 60 municipal policies on security with equity have been approved.[37]

80. Over the period 2012-2016 the Presidential Secretariat for Women advised 310 municipal women's units on the design and management of public initiatives, including projects, annual operational plans, municipal policies and functions manuals.

81. Within the Urban and Rural Development Council,[38] the Commission for Women was separated from the National Commission for Women, Children and Adolescents.[39]

82. As part of its preventive activities, the Office for the Defence of Indigenous Women's Rights conducted 706 training sessions on the protection of indigenous women and their rights, training a total of 52,372 persons, including indigenous women, employees and public officials.

83. The judiciary has conducted campaigns to encourage reporting and prevent violence against women, including the "DiNoMásVíctimas" (Say "No" to More Victims) campaign. International Women's Day is observed each year on 8 March.

84. The Policy on Gender Equality and Promotion of Women's Human Rights, adopted by the judiciary in March 2016, is aligned with various international conventions incorporating a gender perspective and is aimed at ensuring equality and respect for human rights in the administration of justice. A guide has been developed setting out appropriate procedures and/or guidelines, with a victim-centred and gender-sensitive approach, in order to provide prompt, standardized, quality assistance to victims and survivors of violence. The guide is intended for use by justices of the peace and criminal, family and juvenile court judges, with an emphasis on security measures for victims.

85. Regarding the protection of indigenous women, the Office for the Defence of Indigenous Women's Rights has 14 branch offices across the country, which dealt with a total of 1,937 cases of violence against indigenous women during the period 2012-2016. In 760 of those cases, legal assistance was provided to women affected by various forms of violence, 46 per cent of whom did not pursue the process.[40] Social care was provided in 308 cases and psychological care in 869 cases (2,162 therapies).

86. In October 2015, after the National Coordinating Body for the Prevention of Domestic Violence and Violence against Women had been inactive for three years, amendments were proposed to the regulations for the implementation of the Act on the Prevention, Punishment and Eradication of Domestic Violence (set out in Government Order No. 831-2000), as a result of which the National Coordinating Body was moved

under the umbrella of the Ministry of the Interior and reactivated.[41] In October 2016 the new members of the National Coordinating Body were sworn in.

87. In 2013, the Ministry of the Interior drew up guidelines designed to enhance understanding of legal instruments for promoting rights, providing protection and preventing domestic violence against women. These guidelines were distributed among personnel of the Unit for Community Prevention of Violence for promotion and dissemination throughout the country.

88. In 2014, the National Civil Police established a department for the investigation of crimes against women, which has been strengthened and its coverage has been expanded. The National Civil Police also adopted a protocol for referral of cases of femicide, domestic violence, trafficking in persons and illegal adoptions and the manual for the development of local violence prevention plans.

89. Since 2015, the Department for the Protection of the Rights of Women within the Office of the Attorney General has received and processed complaints in cases of domestic violence or failure by the person legally responsible to pay support for women or their minor children. The complaint is received and, through conciliation, a voluntary agreement is reached regarding maintenance payments, which must be approved by a family court judge. In case of non-compliance, measures are taken to payment of the amount owed.

90. In 2014, the judiciary established an ancillary services centre for the administration of family justice, which aims to improve access to justice for victims of domestic violence.[42] Family courts of first instance were established to deal specifically with domestic violence cases, together with a justice of the peace court with responsibility for matters relating to children and adolescents whose rights have been threatened or violated and a family court of first instance responsible for determining the admissibility of complaints.

91. In October 2016 representatives from the Ministry of the Interior, the Ministry of Public Finance and the Congress met with a view to including a specific allocation for the operations of comprehensive support centres for women survivors of violence in the national budget for each fiscal year.

92. As concerns the political participation of women, of the country's 7,509,819 eligible voters, 4,043,867 are women and 3,465,952 are men — i.e. 577,915 more women than men, which reflects the trend over the past 10 years. Women's participation in electoral processes increased from 51 per cent in 2011 to 54 per cent in 2015. A total of 4,551 women ran for election to public office (as mayors or deputies) in 2015, an increase of 227 in comparison with 2012. The number of female deputies elected increased from 19 to 24 and the number of female mayors elected increased from 7 to 10.

93. In June 2016 the Supreme Electoral Tribunal adopted a gender equity policy aimed at promoting equity between men and women, and various workshops were held, at which a total of 1,097 persons received training, including 996 women.

94. Of the 158 deputies elected to the Congress for the legislative period 2016-2020, 19 were indigenous persons and 25 were women. The membership of the Congress has varied, however, owing to various legal situations.

95. The cabinet includes the Minister and Deputy Minister (both women) from the Ministry of Labour and Social Security, two deputy ministers from the Ministry of Education, and representatives of the Peace Secretariat, the Office for the Defence of Indigenous Women's Rights, the Guatemala Fund for Indigenous Development and the Presidential Commission on Discrimination and Racism against Indigenous Peoples, all of which are headed by indigenous persons.

96. In the area of employment, between 2012 and 2016 the Ministry of Labour and Social Security, through its Women's Employment Division, provided advice and guidance to 619 women and training to 17,165 persons on women's labour rights and obligations.

B. Children and adolescents (second cycle recommendations 99.88, 99.19 and 102.3)

97. In 2014, following the amendment of the cooperation agreement for 2012-2014 between the United Nations Children's Fund (UNICEF) and the Office of the Counsel General of Guatemala, the Counsel General's Office launched the implementation of the case investigation management model, the purpose of which is to restore the rights of children and adolescents through administrative channels, working on a case-by-case basis and avoiding victimization and unwarranted litigation. In July 2015, regulations for the provision of services for the protection of children and adolescents were adopted.[43]

98. Decree No. 8/2015 amended the Civil Code by raising the age of marriage from 14 to 18 years, although judges may, at their discretion, grant permission to marry at 16 years of age provided there is a valid reason.[44]

99. Since 2012 the operational unit for the Alba-Keneth Alert System has had an electronic registry of information on complaints. In 2015, the Counsel General's Office began using an intranet network to transfer information via the cloud. Social media have also been used to disseminate active alerts.

100. The Public Defenders Institute has a staff of 29 public defenders throughout the country, one in each department and/or municipality where there is a court for adolescents who are in conflict with the law. In Guatemala City, nine lawyers are assigned to handle cases involving adolescents in conflict with the law in courts with jurisdiction over such cases, including enforcement courts, justice of the peace courts and hearings conducted by videoconference.

Right to identity (second cycle recommendations 99.67, 99.68, 99.69, 99.70 and 99.71)

101. Between 2012 and 2016 the National Registry Office recorded 37,427 delayed birth registrations and registered 137,925 persons on school enrolment days. In 2015 an early birth notification system (*sistema de alerta temprana de vida*) was piloted in two municipalities, resulting in the registration of 169 children whose births were reported by 38 midwives involved in the pilot plan. The early birth notification system was implemented in 2016.

102. In indigenous communities, civil registrars have been instructed to speak the language of persons seeking to register births in order to ensure respect for their cultural identity.[45] A national plan to eliminate underregistration of births was introduced in 2013.

103. Between 2013 and 2016, 239 registry desks were opened with a view to identifying unregistered children; as a result, 443,774 persons were registered. The Public Defenders Institute has signed an agreement with the prison system and the Registry of Legal Persons to register children born to women deprived of their liberty.

104. Evidence of payment of the municipal maintenance tax (*boleto de ornato*) is no longer required for the registration of births in hospitals,[46] and births may now be registered regardless of the marital status of the parents.[47]

Adoptions (second cycle recommendations 99.55 and 99.72)

105. The judiciary, the National Adoption Council and the Office of the Attorney General held a total of 12 workshops between 2012 and 2016, including on certification in the adoption process, follow-up of cases and training on specific adoption-related matters. A total of 320 people from various institutions were trained.

106. The Counsel General's Office, the Public Prosecution Service, the National Adoption Council and the International Commission against Impunity in Guatemala held round tables during the period 2012-2014 to review files on 116 pending adoptions, of which 4 remain to be finalized. Some anomalies were identified and the persons involved were apprehended.

107. The National Adoption Council has 164 registered homes, 128 currently operating and 36 closed. In May 2017, there were 4,906 institutionalized children, 4,640 of whom had

been placed in private homes (2,653 boys and 1,987 girls) and 266 were living in homes run by the Social Welfare Secretariat (135 boys and 131 girls).

108. As of June 2017, 192 unannounced visits had been made and four workshops had been held to train the staff of 75 shelters in matters relating to child protection.

109. For 2017, the unit responsible for authorization and oversight of shelters has a staff of 13 professionals: 5 social workers, 5 psychologists and 3 lawyers.

110. From 2015 to June 2017 guidance was provided to 156 biological fathers and mothers and follow-up services were provided to 155 families who kept their children or were reunited with them. A total of 175 children were placed with adoptive families and 188 were declared eligible for adoption. Information on the adoption process was provided to 4,076 families and post-adoption follow-up services were provided to 882 families. A total of 664 families considered qualified to adopt a child were identified.

Child labour (first cycle recommendation 89.13 and second cycle recommendations 99.17 and 99.83)

111. In 2016, a road map and strategic plan for 2016-2020 aimed at making Guatemala a country free of the worst forms of child labour were reformulated through a territorial approach. The road map is considered a tool for coordinating interventions and long-term objectives. It provides a basis for programming and integrating complementary interventions to prevent and eradicate child labour in the following areas: the fight against poverty, health policy, education policy, legal and protective framework, and social mobilization.

112. The internal regulations of the National Commission for the Eradication of Child Labour, its executive secretariat and the departmental committees for the prevention and eradication of child labour were drawn up and work was undertaken to develop an inter-agency protocol for handling and referring cases involving adolescent workers. Between 2012 and 2016, training was provided to 24,498 children and young people on issues relating to labour rights and obligations.

C. Persons with disabilities (first cycle recommendations 89.27 and 89.28; second cycle recommendations 99.26 and 99.100)

113. With regard to access to employment for persons with disabilities, between 2012 and 2015 the Ministry of Labour provided services to 600 people and assisted 87 in finding employment. In addition, it conducted 995 visits to private sector companies to raise awareness and promote the inclusion of persons with disabilities.

114. In May 2015, an inclusive employment project was launched with support from the German Agency for International Cooperation. The project promotes competitive employment and decent work for persons with disabilities and has assisted 125 young persons with disabilities in finding jobs or starting a business.

115. The report on the second national survey of disability in Guatemala, released in 2016, presents data on the prevalence of disability in Guatemala among both children and adults. The figures indicate that 10.2 per cent of the population have a disability of some kind.

D. Indigenous peoples (first cycle recommendations 89.8 and 89.37; second cycle recommendations 100.2 and 99.107)

116. The Indigenous and Intercultural Affairs Cabinet was formed in April 2013 as a high-level advisory and deliberative body on indigenous peoples' issues.[40] It is headed by the President and comprises representatives of 14 ministries and institutions with a specific mandate to deal with matters relating to the Maya, Garifuna and Xinca peoples.

117. The system of development councils is the primary means of participation by the Maya, Xinca and Garifuna peoples in the governance of the democratic development

planning process, reflecting the principles of national unity, multi-ethnicity, multiculturalism and multilingualism of the Guatemalan nation.

118. Proposals for the investment of the budget allocated to the departmental development councils originate from the community development councils. Priority is given to projects in the areas of education, health, water and sanitation. Since 2014 civil society has participated, having at its disposal 5 per cent of the departmental budget ceiling for strategic high-priority inter-municipal projects.[49] At both the departmental and municipal levels, emphasis is placed on the distribution of resources to areas characterized by poverty and extreme poverty.

119. From 2016 to 2017, community development councils participated in a total of 9,450 projects financed from the resources allocated to the departmental development councils. The total amount invested was 4,214,675 quetzales.

120. In March 2015, the Working Group on Indigenous Peoples was established within the National Urban and Rural Development Council.[50] Among other functions, the Working Group participates in formulating and following up on national development policies and plans to ensure the recognition, respect and promotion of the country's multilingual, multi-ethnic and multicultural character. During the period 2015-2017 the group held 12 meetings.

121. During the period 2016-June 2017, the Technical Directorate for Intangible Heritage of the National Urban and Rural Development Council fostered communication with members of the Commission on Sacred Sites and Associations of Spiritual Guides (*aj q'ij*) to disseminate the content of ministerial agreements regulating the performance of Mayan spiritual rituals at the archaeological sites, centres and parks.[51]

122. Efforts are under way to update information on intangible cultural expressions that have been designated as part of the intangible cultural heritage of the nation, as well as to reestablish contacts with groups with proposals for future designations awaiting evaluation. Contacts have also been established with representatives and bearers of cultural elements that are part of the Representative List of the Intangible Cultural Heritage of Humanity, including the Nan Pa'ch ceremony, the Rabinal Achi drama and the theatre, dance and language of the Garifuna.

123. Training has been provided to municipal authorities, artisans and researchers with the support of the Government of Azerbaijan, the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the Directorate of Intangible Heritage, and two training sessions have been conducted by trainers from UNESCO.

124. With regard to cultural rights, a video on the expression of the Garifuna culture in the municipality of Livingston (Izabal Department) was made with support from the Regional Centre for the Safeguarding of the Intangible Cultural Heritage of Latin America, and a project to safeguard the Itza language is being carried out in the central part of Petén Department. As part of a third project, the Regional Centre approved the recruitment of an expert on the assessment of the status of intangible cultural heritage in Guatemala; the information that she compiles will guide future investment in the short term of international funding for the safeguarding of intangible Guatemalan cultural expressions.

125. With a view to ensuring the involvement of rural women in the development process, the Ministry of Agriculture, Livestock and Food is implementing the Institutional Policy and Strategic Framework for Gender Equality 2014-2023, the aim of which is to mainstream the gender perspective within the Ministry in order to strengthen institutional capacity to address the development needs of rural women.

126. Concerning land disputes, the Agrarian Affairs Secretariat has 19 regional offices and since 2013 has had a special unit responsible for designing and implementing activities with cultural relevance for indigenous peoples. In 2016 a guide on culturally relevant support for users was produced for use as an instrument to facilitate assistance.

127. In 2013 the judiciary established a centre for legal interpretation and translation in indigenous languages, and by 2016 a total of 8,000 hearings had been conducted in Mayan languages.

128. The Public Defenders Institute has provided interpretation and assistance in 6,602 cases and overseen 547 cases with cultural relevance at the national level. It has also spearheaded the resolution of six emblematic cases with cultural and gender relevance dealt with by courts for children and adolescents in conflict with the law, including courts of first instance in criminal matters, courts responsible for cases involving drug trafficking and crimes against the environment in the Department of Huehuetenango and the Constitutional Court. In some instances, these cases involved challenges against decisions violating human rights and the rights of indigenous peoples.

International Labour Organization (ILO) Convention No. 169 and the right to consultation (first cycle recommendation 89.12; second cycle recommendations 99.11, 99.109, 99.110, 99.111, 100.9, 99.106, 100.22, 100.23, 100.24, 100.26 and 100.27)

129. After failed attempts to agree on and adopt an instrument to regulate consultations with indigenous peoples in accordance with ILO Convention No. 169, in June 2016 the Ministry of Labour and Social Welfare set up a specialized team to formulate a new strategy to identify and compile the input required to develop basic standards for consultation with indigenous peoples. Participation in the events organized for that purpose was scant, however, and the strategy was therefore recast as an analysis of compliance with ILO Convention No. 169 twenty years after its ratification. As of December 2016, seven meetings had been held in six linguistic communities to hear the views of participants and thereby build a relationship between current authorities and indigenous peoples.

130. In response to Constitutional Court Order No. 1149-2012, the Ministry of Energy and Mines developed a proposed methodology for carrying out consultations through a seven-stage process. The proposal was accepted and endorsed by indigenous and ancestral authorities in Santa María Nebaj (Department of El Quiché).[52] The Ministry launched consultations with those communities, their authorities and the municipal government in 2016.

131. On 8 June 2016, the Ministry of Energy and Mines signed an institutional agreement with the General Secretariat for Planning and Programming of the Office of the President, with the aim of strengthening territorial management and providing timely advance information in the territories where energy and mining projects are undertaken. The Ministry also opened information offices in the departments.

VI. Voluntary commitments

132. Pursuant to the voluntary commitments made by the State of Guatemala during the universal periodic review of 2012, and recalling its midterm report submitted on 15 April 2015, Guatemala reports the following:

A. Redesign the human rights institutional system (first cycle recommendations 89.2 and 89.24; second cycle recommendations 102.1, 99.18, 99.64, 100.10 and 100.16); Budget allocation (first cycle recommendations 89.25 and 89.33; second cycle recommendations 99.35 and 99.62); Human rights training (first cycle recommendation 89.6)

133. The Policy Agenda for Peace 2017-2026, developed for the implementation of the peace accords, identifies institutional commitments, stakeholders and responsibilities. In 2017, the Commission on Sacred Sites was brought under the umbrella of the Peace Secretariat to give effect to commitments relating to the identity and rights of indigenous peoples.

134. The State is continuing its efforts to reform the human rights institutional system. In 2013 the National Reparations Programme was extended to 2023,[53] and in 2015 a manual of basic criteria for the implementation of authorized reparation measures was approved.[54]

135. The approved budget of the Presidential Commission against Discrimination and Racism rose from 5,985,751 quetzales in 2012 to 10,500,000 quetzales. The Institutional

Strategic Plan 2017-2021, adopted in March 2017, is intended to ensure the coordination of public policies and national legislation in order to consolidate the development and strengthening of national institutions to enable them to discharge their responsibilities effectively.

136. As called for under the National Policy on Disability, the National Council for Persons with Disabilities has spearheaded the creation of municipal disability offices in 10 municipalities and 21 departmental commissions on disability.

137. The budget of the Office for the Defence of Indigenous Women's Rights increased from 16,168,476 quetzales in 2012 to 19,187,254 quetzales in 2017; during the same period two regional offices were opened, bringing the current total number to 14.

138. The Office of the Human Rights Advocate established a Sexual Diversity Unit in 2014.

B. Continue the policy agenda to strengthen the specialized justice system to protect women

Violence against women (second cycle recommendations 99.36, 99.38, 99.40, 99.16, 99.38, 99.42, 99.43, 99.44, 99.45, 99.46, 99.48, 99.41 and 99.61) Specialized justice (femicide and violence against women) (first cycle recommendation 89.15; second cycle recommendations 102.2, 99.31, 99.33, 99.34, 100.12, 100.13 and 99.32)

139. There are special courts in 12 of the 22 departments of the country, with a total of 31 judicial bodies, including courts and tribunals, an Appeals Chamber and a comprehensive support system for victims of violence, which comprises psychologists, social workers and childcare workers.

140. The National Forensic Science Institute of Guatemala adopted guidelines in February 2015 for conducting forensic medical examinations of victims of sexual abuse, which describe the procedure to be followed in examining women victims of sexual violence and gathering evidence. The guidelines include appendices containing forms for obtaining informed consent for medical examinations and related procedures, recording the findings of forensic medical examinations in sexual assault cases and listing items of evidence.

141. With regard to data collection, the system for recording and monitoring requests for expert appraisals from the National Forensic Science Institute makes it possible to consolidate all expert appraisal information on a single platform. The system has the following features: (a) decentralized access from any unit of the National Forensic Science Institute (650 registered users); (b) consolidated online information (95.11 per cent availability nationwide); (c) data entry on a single information platform; (d) queries and reports, based on the information, for follow-up and monitoring of requests; (e) publication of numerical data on the web; (f) interaction with agencies (Public Prosecution Service, the courts, National Registry of Persons, National Civil Police).

142. Pursuant to Directive 02-2017, the Office of the Prosecutor for Femicide Cases has jurisdiction to investigate, prosecute and try cases involving the offences of femicide, murder, parricide and killing or attempted killing of one or more girls or adolescent or adult women. It has nationwide jurisdiction in accordance with criteria established by the Office itself, except where the act was the involuntary result of a culpable act, in which case it falls to the municipal and district prosecutors' offices to handle and investigate the case.

143. To meet the need for services, the Public Prosecution Service is structured as follows: Director, Deputy Director, four investigation units, one litigation unit, one analysis unit, drivers, one victim assistance unit, and prosecutorial and clerical staff, for a total of 57 staff.

144. Public Prosecution Service records show a total of 71,504 women victims of sexual violence for the period 2012-June 2017.[55] In the same period, 263 training events were conducted on issues relating to violence against women and a total of 4,532 people received training (2,589 women and 1,942 men).

145. In 2014, a referral protocol for cases of domestic violence, femicide, human trafficking and illegal adoption was adopted and a manual for delegates was issued, along with tools, including a flip chart, for developing local plans for the prevention of violence.

146. A tool was applied for the incorporation of a human rights and a gender perspective in sentencing for offences of femicide and other forms of violence against women. Two events have been held with a view to strengthening specialized justice, one on appropriate reparation for victims of violence against women and sexual violence (70 participants) and one inter-agency meeting on the assessment of evidence in cases of femicide, violence against women and sexual violence (65 participants from the judiciary, the Public Prosecution Service, the Public Defenders Institute, the National Civil Police and the Ministry of Health).

C. Programme of protection for journalists

147. In October 2015 a report on progress in developing a system for the protection of journalists was issued. The report describes the efforts of State institutions, associations of journalists and independent journalists and outlines the work undertaken from February 2013 to September 2015, the progress made and the dissemination of and consultations on the proposal for a system for the protection of journalists. The system is being developed through a methodology calling for the establishment of a high-level commission responsible for oversight and policy decisions, composed of representatives of the Presidential Commission for Coordinating Executive Policy in the Field of Human Rights, the Ministry of the Interior and the Public Prosecution Service, with a mandate in the areas of prevention, protection and the administration of justice. The process has been supported by UNESCO, OHCHR and the Media Secretariat of the Office of the President.

148. The proposal put forward by the State was rejected by the press guild in February 2016, which led to the establishment of an inter-agency round table of representatives of the Government and press organizations. It was agreed that, in order to make the proposal a reality, it was necessary to ensure inter-agency coordination, protect those who might be threatened for their work as journalists and safeguard freedom of expression. As a result, it was agreed that a new process would be launched.

149. In November 2016, the President of Guatemala initiated the process of issuing a government order to create a protection programme for journalists and other mass communication practitioners with the aim of ensuring their ability to carry out their work freely.

150. The programme will be implemented in the Human Rights Office of the Ministry of the Interior, which will establish the legal procedures for the programme and the applicable processes. The programme will cover any harm to the physical or psychological well-being of journalists and any threats, harassment or intimidation suffered by journalists or other mass communication practitioners in connection with their work. The Ministry of the Interior will be responsible for issuing the regulations governing the specific activities of the programme and for providing the necessary resources for its activities. The government order establishing the protection programme for journalists is currently being reviewed by the various trade unions and associations of journalists.

151. The Public Prosecution Service reports that during the period 2012-June 2017 it received a total of 372 complaints relating to the killing of or threats and violent attacks against journalists; verdicts have been handed down in 17 cases, including 2 acquittals and 6 convictions for killing offences and 1 acquittal and 8 convictions for other offences.

D. Continue implementing the permanent recommendation follow-up system, which was created by the Presidential Human Rights Commission and provides for the participation of civil society and will enable the country to submit a midterm report on the progress made in implementing the recommendations received (first cycle recommendation 89.43; second cycle recommendation 99.12)

152. In May 2017 Guatemala and Paraguay signed a technical cooperation agreement for the installation of a recommendation follow-up system called SIMORE, which is a public online platform for monitoring the implementation of international recommendations on human rights.

153. The platform will come under the responsibility of the Presidential Human Rights Commission, which, through the Inter-agency Forum (comprising all institutions of the executive branch), will train the delegates who will be responsible for posting information online about all institutional actions taken in response to recommendations issued by human rights protection bodies. The country will thus have an up-to-date database of information that will facilitate, streamline and expedite the process of drafting the reports of Guatemala to treaty bodies and other reports.

154. Training is to be provided by Paraguayan officials in October 2017 in follow-up to the implementation of SIMORE, which in Guatemala will be called SIMOREG. Inputting of information into the platform is scheduled to start in 2018; information on progress on the Sustainable Development Goals will also be posted on SIMOREG.

155. One of the challenges associated with SIMOREG will be to strengthen the participation of civil society organizations at the national level in following up on the recommendations of the universal periodic review and other human rights protection bodies.

VII. Emerging issues

156. Recognizing that the issue of business and human rights requires knowledge and expertise, Guatemala has carried out a process, with the agreement of concerned parties, to engage a specialized body or consortium to provide support to national actors. Five entities were invited to participate in the selection process, and proposals were received from two of them. The process is currently at a standstill, however, as it has not been possible to reach consensus on a body to advise the country on the development of an action plan for the implementation of the United Nations Guiding Principles. Guatemala would welcome international support and cooperation from other States in sharing their experiences and best practices in the design and implementation of their national plans.

Notes

[1] Informe de Transición de Gobierno, SEGEPLAN 2016.
[2] El Foro Interinstitucional es un espacio coordinado por COPREDEH, en el que participan todas las dependencias del Ejecutivo; y como invitados especiales el Organismo Judicial, Ministerio Público, así como otras instancias del Estado.
[3] Consulta Nacional con Sociedad Civil, sobre recomendaciones del EPU. Quetzaltenango (10 noviembre 2016); Sacatepéquez (5 diciembre 2016); Huehuetenango (7 marzo 2017); Petén, Cobán (4-6 de abril 2017); Zacapa, Jutiapa (16, 17 de mayo 2017).
[4] Política Pública para la Convivencia y la Eliminación del Racismo y la Discriminación Racial. Aprobado por el Acuerdo Gubernativo número 143-2014.
[5] Ministry of the Interior.
[6] Policía Nacional Civil.
[7] Dirección Especializada de Investigación Criminal.
[8] Dirección de Protección a Personalidades y Seguridad.
[9] Ventanillas habilitadas No.2, No.5 y No.7; y se instalaron 2 buzones para la recepción de quejas, con boletas de atención a usuarios.

[10] Instrucción General del Ministerio Público. No.04-2014.
[11] Aprobado a través de las instrucciones General números 3-2017 y 4-2017, el cual, se oficializo al público el dia 28 de julio del 2,017, fecha en que entró en vigencia a nivel nacional.
[12] Informe del Ministerio Público. OFICIO No. SPAE-152-2017. (COPREDEH-60-2017). Guatemala, 26 de julio del 2017.
[13] Informe P-371-2017 del Organismo Judicial. 10 de noviembre 2016. Anexo 1. Folio 145.
[14] Acuerdo Gubernativo No. 149-2015, el 22 de junio de 2015).
[15] Decreto 49-2016.
[16] http://dgsp.gob.gt/ampliacion-cof/.
[17] Ministerio Público. OFICIO No. SPAE-152-2017. (COPREDEH-60-2017). Guatemala, 26 de julio del 2017.
[18] El 22 de enero del 2016, a través del Acuerdo número cero seis guión dos mil dieciséis (06-2016) de la Fiscal General de la República y Jefa del Ministerio Público.
[19] Está integrada por Agentes Fiscales, Auxiliares Fiscales, Oficiales de Fiscalía, Personal Técnico Administrativo, Personal Técnico de Investigación Criminal y una Unidad de Análisis.
[20] Priorización según las tasas identificadas mediante el Tercer Censo Nacional de Talla en Escolares (2008).
[21] El PNAE basa sus intervenciones en cuatro componentes: a) Calidad Nutricional, b) Educación Alimentaria y Nutricional, c) Ambientes o Entornos Saludables y d) Participación Ciudadana; y en tres ejes transversales (coordinación intersectorial, fortalecimiento de capacidades y el monitoreo y evaluación).
[22] Fondo para la Vivienda. (FOPAVI), tiene como objetivo especifico otorgar subsidios directos a personas en condiciones de pobreza y pobreza extrema para la solución habitacional. El FOPAVI administra el Fideicomiso de Inversion para la Vivienda (FIV), destinado al desembolso de subsidios directos para que las personas puedan construir o adquirir una vivienda digna.
[23] Fuente: Informe del Fondo para la Vivienda (FOPAVI). Oficio –DE-358-2014/VL/sr de 23 de julio de 2014. Pág. 2*Información preliminar a junio de 2014.
[24] Decreto 29-89 del Congreso de la República de Guatemala Ley de Fomento y Desarrollo de la Actividad Exportadora y la Maquila; Acuerdo Ministerial 160-2013.
[25] Acuerdo Ministerial 243-2013.
[26] Acuerdo Ministerial 111-2013.
[27] Correlativo. D-IGT-158-2013-JAAH-crgl.
[28] Acuerdo Ministerial del Ministerio de Trabajo Acuerdo Ministerial 112-2014.
[29] Correlativo IGT-370-2014 JAAH/jaom.
[30] http://www.conalfa.edu.gt/.
[31] Importante recordar que estos municipios implica que se ha alcanzado un nivel inferior del 4%, considera un índice internacional aceptado, ya que hay grupos de población que por razones de edad, salud, o discapacidad no pueden integrarse al proceso educativo.
[32] http://estadistica.mineduc.gob.gt/anuario/2015/data/Resultado.htm?Nivel=43&Depto=00&Pob=3&Inf=4&Sector=0&Desgloce=1&Submit=Mostrar+cuadro.
[33] Acuerdo Ministerial 2539-2007 (creación del Programa) y reformas (428-2009 y 3276-2011) y Reglamento del Programa de Becas para estudiantes con discapacidad de escuelas oficiales: Acuerdo Ministerial 826-2009 y su reforma 2987-2011. Así como con el Acuerdo Gubernativo No. 55-2016 "Reglamento de manejo de subsidios y subvenciones".
[34] Acuerdo Gubernativo 22-2004.
[35] Aprobada a través del Acuerdo Ministerial No. en julio de 2015.
[36] Acuerdo Gubernativo 260-2013 y Decreto 39-2016 Reformó el Código Municipal.
[37] Decreto 39-2016 Reformó el Código Municipal y norma la creación de la Oficina Municipal de la Mujer, la cual tendrá caracter de Dirección en la organización interna.
[38] Punto Resolutivo 6-2015, de CONADUR.
[39] La Comisión de la Mujer quedó integrada por instituciones gubernamentales, un representante del CONADUR, corporaciones municipales y de sociedad civil.
[40] Asistencia de la DEMI en casos: 387 de violencia física, 209 violencia psicológica; 69 de carácter sexual y 86 de carácter económica.
[41] Propuesta presentada porla SEPREM, el Tercer Viceministerio del MINGOB, GGM, SVET, PGN y DEMI.
[42] Acuerdo 27-2014 del Organismo Judicial.
[43] Acuerdo Institucional de la Procuraduría General de la Nación No. 124-2015 del 27de julio de 2015.
[44] Acuerdo anexo II, Legislación y Políticas.
[45] Circular No. 38-2016, del Registro Nacional de la Personas (RENAP).
[46] Exoneración del Boleto de Ornato en Hospitales. Expediente No.2339-2015 Corte de Constitucionalidad.
[47] Inconstitucionalidad 1006-2014 contra el artículo 215 del Código Civil.

[48] Creado mediante decreto 117-2014.

[49] Punto Resolutivo 03-2016 que aprobó el Consejo Nacional de Desarrollo Urbano y Rural (CONADUR), para dar cumplimiento a la Política Nacional de Gobierno; asimismo a través del Punto Resolutivo 05-2014 aprobado por el CONADUR se da participación a la sociedad civil en las instancia de los CODEDE para disponer de un 5% del techo presupuestario del Departamento.

[50] Punto Resolutivo 11-2015 del CONADUR.

[51] Acuerdo del Ministerio de Cultura y Deportes. 981-2011 y 1171-2012.

[52] La CC en el Expediente 1149-2012 del 10 de septiembre de 2015 *"ordena al Ministerio de Energía y Minas que tome las medidas necesarias para que se practique la consulta a las comunidades indígenas a las que interese y afecte, conforme los estándares internacionales aplicables, respecto a la instalación de la central generadora hidroeléctrica "La Vega I"*.

[53] Acuerdo Gubernativo 593-2013, del 27 de diciembre de 2013.

[54] Resolución No. 001-2015 de la Comisión Nacional de Resarcimiento, del 7 de enero de 2015.

[55] Ministerio Público OFICIO No. SPAE-152-2017 (COPREDEH-60-2017). Guatemala, 26 de julio del 2017.